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Practitioner's Docket No. U 012130-1

OFFICIAL

PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Aharon Meir EYAL, et al  
Serial No.: 09/147,914 Group No.: 1613  
Filed: May 25, 1999 Examiner.: Taylor V. Oh  
For: PROCESS FOR THE RECOVERY OF LACTIC ACID FROM AQUEOUS LACTATE  
SALT SOLUTIONS, INVOLVING THE USE OF ION EXCHANGERS

Commissioner of Patents and Trademarks  
Washington, DC 20231

NUMBER OF PAGES 9  
(INCLUDING THIS PAGE)

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

FURTHER RENEWED REQUEST FOR WITHDRAWAL OF ABANDONMENT

ENCLOSURES: RENEWED REQUEST TO WITHDRAW ABANDONMENT, REQUEST TO  
WITHDRAW HOLDING OF ABANDONMENT

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

☒ If any additional extension and/or fee is required, charge Account No. 12-0425.

AND/OR

☒ If any additional fee for claims is required, charge Account No. 12-0425.

CLIFFORD J. MASS  
LADAS & PARRY  
26 WEST 61ST STREET  
NEW YORK, NY 10023  
REG. NO. 30,086 (212) 708-1890

Date: April 7, 2004

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Aharon Meir BYAL, et al

Serial No.: 09/147,914

Group No.: 1613

Filed: May 25, 1999

Examiner.: Taylor V. Oh

For: PROCESS FOR THE RECOVERY OF LACTIC ACID FROM AQUEOUS  
LACTATE SALT SOLUTIONS, INVOLVING THE USE OF ION EXCHANGERS

Attorney Docket No.: U 012130-1

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FURTHER RENEWED REQUEST FOR WITHDRAWAL OF ABANDONMENT

Applicants filed a Request to Withdraw Abandonment on July 30, 2003 and a  
Renewed Request to Withdraw Abandonment on November 17, 2003. To date, the

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CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\*

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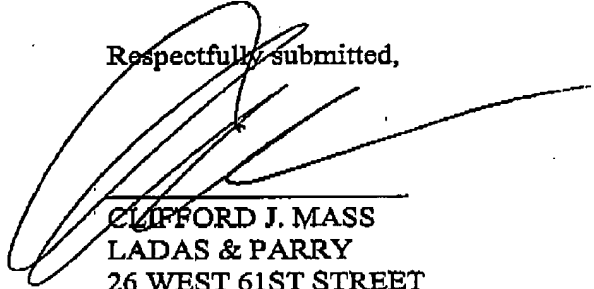
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thereon is an oversight that can be avoided by the exercise of reasonable care, requests for  
waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed.  
Reg. 56,439, at 56,442.

USPTO has not acted on these requests. In a telephone discussion with the undersigned on April 7, 2004, Examiner Oh advised that the requests had apparently been misplaced and requested that Applicants resubmit their requests.

Applicants transmit herewith copies of the requests previously filed and hereby renew their request for withdrawal of the abandonment on the grounds that they never authorized an abandonment of this application and the abandonment was due solely to USPTO error. The USPTO is now compounding that error by not timely acting on Applicants' Requests for withdrawal of the abandonment. An early withdrawal of the abandonment is urgently requested.

Respectfully submitted,



CLIFFORD J. MASS  
LADAS & PARRY  
26 WEST 61ST STREET  
NEW YORK, NEW YORK 10023  
REG. NO.30,086(212)708-1890

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Aharon Meir BYAL, et al  
Serial No.: 09/147,914 Group No.: 1613  
Filed: May 25, 1999 Examiner.: Taylor V. Oh  
For: PROCESS FOR THE RECOVERY OF LACTIC ACID FROM AQUEOUS  
LACTATE SALT SOLUTIONS, INVOLVING THE USE OF ION EXCHANGERS

Attorney Docket No.: U 012130-1

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RENEWED REQUEST TO WITHDRAW ABANDONMENT

Applicants hereby renew their request, filed July 30, 2003, for withdrawal of  
the Notice of Abandonment of July 22, 2003, (copy submitted herewith).

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CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\*

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## TRANSMISSION

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Date: November 17, 2003

Signature

  
CLIFFORD J. MASS

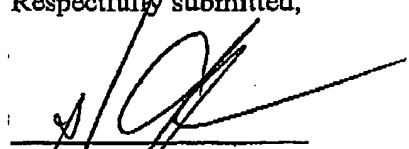
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thereon is an oversight that can be avoided by the exercise of reasonable care, requests for  
waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed.  
Reg. 56,439, at 56,442.

In view of the USPTO delay in acting on Applicants' Request to Withdraw Abandonment, and to expedite the prosecution of this application, Applicants submit herewith a Completion of Filing Requirements along with the missing filing fee and surcharge for the delayed payment of the filing fee. Applicants also submit herewith a Preliminary Amendment, which Applicants respectfully request be entered prior to an examination on the merits of this continued prosecution application.

Respectfully submitted,



CLIFFORD J. MASS  
LADAS & PARRY  
26 WEST 61ST STREET  
NEW YORK, NEW YORK 10023  
REG. NO.30,086(212)708-1890

U 012130-1

November 17, 2003

In re application of: Aharon Meir EYAL, et al

Serial No.: 09/147,914

Group No.: 1613

Filed: May 25, 1999

Examiner.: Taylor V. Oh

For: PROCESS FOR THE RECOVERY OF LACTIC ACID FROM AQUEOUS  
LACTATE SALT SOLUTIONS, INVOLVING THE USE OF ION  
EXCHANGERS

COMPLETION OF FILING REQUIREMENTS -- NONPROVISIONAL APPLICATION:  
PRELIMINARY AMENDMENT; RENEWED REQUEST TO WITHDRAW  
ABANDONMENT: COPY REQUEST TO WITHDRAW HOLD OF ABANDONMENT  
DATED JULY 30, 2003 WITH COPY OF POST CARD: CHECK NO. P047706 IN THE  
AMOUNT OF \$1676

Filed: \_\_\_\_\_

CJM/bds



**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Aharon Meir EYAL, et al.

Serial No.: 09/147,914

Group No.: 1625

Filed: May 25, 1999

Examiner: T. Oh

For: PROCESS FOR THE RECOVERY OF LACTIC ACID FROM AQUEOUS  
LACTATE SALT SOLUTIONS, INVOLVING THE USE OF ION  
EXCHANGERS

Attorney Docket No.: U 012130-1

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450**REQUEST TO WITHDRAW HOLDING OF ABANDONMENT**

The Notice of Abandonment of July 22, 2003, holds the application abandoned  
because "applicants have decided to abandon the application."

The Notice is supported by an Interview Summary of July 21, 2003, "applicants have  
decided to abandon the application."

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**CERTIFICATION UNDER 37 C.F.R. 1.10\***  
(Express Mail label number is mandatory.)  
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I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date July 30, 2003, in an envelope as "Express Mail Post Office to Addressee", mailing Label Number EV327549179U, addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Ibis Vega  
(type or print name of person mailing paper)

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Signature of person mailing paper

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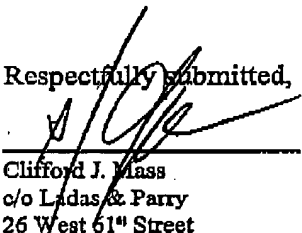
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The undersigned in fact advised that they had abandoned the parent application in favor of a continuation application. However, the continuation application is a Continued Prosecution Application filed April 15, 2003. A copy of its postcard receipt is attached.

The Continued Prosecution Application is a request to expressly abandon the prior application (37 CFR 1.53(d)) but, because the Continued Prosecution Application will keep the same application number as the immediately prior application, a Notice of Abandonment of that application number cannot issue and applicant never agreed to abandon the Continued Prosecution Application..

Moreover, in this case, the filing fee was not paid with the Continued Prosecution Application. Therefore, instead of the Notice of Abandonment, the Patent Office should have sent a Notice to File Missing Parts, which is now requested.

Respectfully submitted,

  
Clifford J. Mass  
c/o Ladas & Parry  
26 West 61<sup>st</sup> Street  
New York, New York  
Reg. No. 30086  
Tel. No. (212) 708-1890



U 012130-1 July 30, 2003

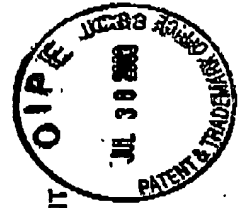
In re: Aharon Meir EYAL, et al.

Serial No.: 09/147,914 Group No.: 1625

Filed: May 25, 1999 Examiner: T. Oh

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LACTATE SALT SOLUTIONS, INVOLVING THE USE OF ION  
EXCHANGERS

REQUEST TO WITHDRAW/HOLDING OF ABANDONMENT



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